

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LUCAS J. LACY,

Defendant.

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8:08CR16

ORDER

This matter is before the court on defendant's motion to continue trial [15] and waiver of speedy trial [16]. For good cause shown, and upon the representation that opposing counsel does not object, the court finds that the motion should be granted.

IT IS ORDERED that the motion to continue trial is granted, as follows:

1. The trial of this matter is continued to **May 6, 2008**.

2. In accordance with 18 U.S.C. § 3161(h)(8)(A), the court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **March 25, 2008 and May 6, 2008**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case, due to the unavailability of essential witnesses. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

DATED March 5, 2008.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**